



**Town of Arlington  
Office of the Town Manager**

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March 16, 2023

**Electronic Mail**

Arlington Human Rights Commission  
[AHRC@town.arlington.ma.us](mailto:AHRC@town.arlington.ma.us)

**Re: Nomination of Candidates for the Arlington Civilian Police Advisory Commission**

Dear Nominating Body,

Following approval of the Attorney General's Office and requisite posting of bylaw revisions, the new Title II, Article 16 of the Town Bylaws' "Arlington Civilian Police Advisory Commission" ("ACPAC") is ripe for appointments. Your Commission/Board/Association is charged with nominating one (1) qualified person to serve, with such nomination to be subject to confirmation by the Town Manager, Mr. Sandy Pooler. It is hoped such nominations can be submitted via email to the undersigned **on or before May 31, 2023.**

**Purpose**

As a reminder, the ACPAC shall consist of nine (9) members charged "provid[ing] an opportunity for increased understanding and trust between the community and the Arlington Police Department, assist members of the public as a resource in the event they have complaints, concerns, or commendations about policing in Arlington or specific police personnel, and to provide the Arlington Police Department and Town management with a public forum for feedback about police personnel, policies, procedures and data." Town Byalws, Title II, Art. 16 Sec. 2. A fully copy of the Bylaw is included as reference in Attachment "A."

**Qualifications**

*Eligibility to Serve* – Nominees must be Arlington residents and as a total body, shall reflect racial, ethnic, gender, sexual, age, and other forms of diversity in Arlington. Nominees may, but are not required to be members of your committee/commission/board.

Further, the Manager *must* appoint at least one person on the ACPAC with the following respective expertise:

- Criminal defense or civil rights relative to police searches, arrests, or detainments;
- Data Analysis; and/or
- Working with underserved communities such as, but not limited to social workers, mental health counselors, or civil forms of legal aid.

Accordingly, commissions/committees/boards are encouraged to identify the makeup of the ACPAC at the time of nomination, or slates of nominees to the extent known; communicate the special emphasis on candidates with specific skills and experience to the extent necessary; and consider a diverse pools of candidates for nomination reflecting Arlington's community.

*Ineligible Persons* – Additionally, please note that the following persons are *not* eligible for service:

- Current compensated employees of the Town, including Arlington Police Department police officers and employees;
- Current or former municipal police officers; and
- Immediate family members of current or former Arlington Police Department employees.

### **Qualifications for Service**

Please also note that Arlington Civilian Police Advisory Commission members will be required to receive significant training on a variety of subjects outlined in Title II, Art. 16, sec. C of the Town Bylaws in addition to conflict of interest and open meeting law trainings. Potential nominees should be encouraged to consider the commitment necessary to serve.

### **Appointment Terms**

Finally, while member terms will eventually be three (3) years, initial appointments shall be staggered so as to ensure that future ACPAC commissioners' terms shall not all expire in the same year. Please solicit consideration of whether potential nominees have a preference for a one, two, or three year initial appointment.

Sincerely,

James Feeney, Deputy Town Manager  
[jfeeney@town.arlington.ma.us](mailto:jfeeney@town.arlington.ma.us)

**ATTACHMENT "A"**

**TITLE II, ARTICLE 16:**

**ARLINGTON CIVILLIAN POLICE ADVISORY COMMISSION**

# **ARTICLE 16**

## **ARLINGTON CIVILIAN POLICE ADVISORY COMMISSION**

(ART. 8, ATM – 04/25/22)

### **Section 1. Arlington Civilian Police Advisory Commission Established**

There is hereby established an Arlington Civilian Police Advisory Commission, charged with serving as a civilian resource and forum for Arlington residents and visitors and members of the public, the Arlington Police Department, and other appropriate Town personnel.

### **Section 2. Purpose**

The purpose of the Arlington Civilian Police Advisory Commission is to provide an opportunity for increased understanding and trust between the community and the Arlington Police Department, assist members of the public as a resource in the event they have complaints, concerns, or commendations about policing in Arlington or specific police personnel, and to provide the Arlington Police Department and Town management with a public forum for feedback about police personnel, policies, procedures and data.

### **Section 3. Commission Composition, Eligibility, Qualification & Terms**

#### A. Appointment of the Commission

The Commission shall consist of nine (9) members, appointed by the Town Manager. To be considered for appointment members shall be nominated by the following public bodies, persons, or community entities:

1. One (1) member nominated by the Arlington Human Rights Commission;
  2. One (1) member nominated by the LGBTQIA+ Rainbow Commission;
  3. One (1) member nominated by the Disability Commission;
  4. One (1) member nominated by the Board of Youth Services;
  5. One (1) member nominated by the Envision Arlington Diversity Task Group co-chairs with the approval of the Envision Arlington Standing Committee;
  6. One (1) member nominated by the Council on Aging;
  7. One (1) member nominated by the Menotomy Manor Tenants Association; and
  8. Two (2) members nominated by the Select Board
- Nominating authorities are not required to nominate a member of their own body. The Manager shall notify the above “nominating bodies” of vacancies and expiring terms. If any nominating body fails to act upon a notification from the Manager within ninety (90) days or in the event a nominating body is inactive, the Manager may request the Select

Board to make a nomination in their place.

#### B. Eligibility to Serve

1. All members of the Commission shall be Arlington Residents and as a total body, shall reflect racial, ethnic, gender, sexual, age, and other forms of diversity in Arlington. Additionally, the Town Manager shall appoint at least one member respectively with experience in one or more of the following areas:

- a. Criminal defense or civil rights relative to police searches, arrests, or detainments;
- b. Data Analysis; and
- c. Working with underserved communities such as, but not limited to social workers, mental health counselors, or civil forms of legal aid.

2. The following persons are not eligible to serve on the Commission:

- a. Current compensated employees of the Town, including Arlington Police Department police officers and employees;
- b. Current or former municipal police officers (defined herein as “peace officers” employed by a municipal police department subject to certification under Massachusetts Law, including “An Act Relative to Justice, Equity and Accountability in Law Enforcement);” and
- c. Immediate family members of current or former Arlington Police Department employees.

#### C. Qualifications for Service

1. In addition to all other requirements for appointment on the Commission under the general laws of the Commonwealth, members must receive initial and continuing training in the following subjects:

- a. Arlington Police Department complaint and discipline procedures;
- b. Arlington Police Department policy and operations;
- c. Relevant State Laws regarding law enforcement accountability including “An Act Relative to Justice, Equity and Accountability in Law Enforcement;”
- d. Filing civilian complaints and commendations about police conduct with the Commonwealth of Massachusetts and the Arlington Police Department;
- e. Data handling and privacy;
- f. Analysis of policing data;
- g. Equity, cultural humility, implicit bias, and the significance of language access; and
- h. Other topics the Commission deems relevant.

2. Commission members, as deemed appropriate by the Commission may also be required to participate in the Citizen Police Academy when offered, and participate in Arlington Police Department ride-along opportunities at intervals established by the Commission.

3. The Commission shall affix a reasonable period of time for appointed members to complete initial and follow-up training. Failure to meet training requirements within such period shall be grounds for removal.

4. The original Commission appointees shall be deemed qualified upon completion of requirements for all committees and commissions under the laws of the Commonwealth, and be afforded a reasonable time period to establish and complete training requirements for the Commission consistent with the foregoing.

#### D. Initial & Subsequent Terms

Member terms shall be for three (3) years, except that initial appointment terms of members shall be staggered such that three (3) initial appointees shall serve a one (1) year term; three (3) a two (2) year term; and three (3) a three(3) year term as designated by the Town Manager. Members shall serve until their successors have completed training and been sworn in to service.

#### E. Removal of Members

At the request of the Manager, members may be removed for cause by a vote of the nominating body.

### **Section 4. Administration and Operation**

The Arlington Civilian Police Advisory Commission shall not meet or conduct business without the presence of a quorum, which shall require a majority of the members of the Commission at any given time. The Commission shall approve its actions by majority vote of the quorum, but in no event shall action be approved by fewer than 4 members.

### **Section 5. Duties and Responsibilities**

#### A. General Duty

It shall be the duty of the Arlington Civilian Police Advisory Commission to serve as qualified advisors to the general public, the Arlington Police Department, and other Town staff with respect to policing in Arlington from a civilian perspective. The Commission shall serve as a technical resource for persons wishing to file specific complaints against or commendations of Arlington Police Department personnel, a forum for both positive and negative feedback about police conduct and policy in Arlington, and collaboratively engage the Arlington Police Department in its development or revision of police policies.

#### B. Specific Responsibilities

To fulfill its duties, the Commission shall specifically be charged with:

1. Establishing a process for community members to provide information about police interactions, both positive and negative, to the commission anonymously and non-anonymously;

2. Guiding community members through the civilian complaint or commendation process, including:

- a. Providing education to a community member about options for filing complaints and commendations about police conduct;
- b. Providing complaint and commendation forms to a community member;
- c. Connecting a community member with appropriate town officials and committees;
- d. Accompanying a community member to meetings

- e. Following up with both the APD and the community member on any resultant investigation;
  - f. Providing periodic updates to a community member;
  - g. Collecting information about a community member's satisfaction with complaint processes;
  - h. However, at no point in time shall Commission members individually or as a public body provide legal advice or representation, mental health counseling, or social services advocacy to community members engaging commission members for the purpose of filing complaints;
3. Working with the Arlington Police Department to regularly publish and analyze data which can offer insight into the quality and effectiveness of the department, especially in its interactions with the public, including but not limited to:
- a. Complaints, including their nature, status and disposition;
  - b. Police use of force incidents, including all use of firearms;
  - c. Vehicle pursuits and traffic collisions;
  - d. Injuries and deaths in custody;
  - e. Stops, searches, citations and arrests, including demographic data;
  - f. Civil lawsuits and other claims brought against the town or department
  - g. Database of training; and
  - h. Database of awards and commendations;
4. Regularly reviewing Arlington Police Department complaint, investigation, and discipline policies and procedures, comparing them with the latest practices in other communities locally and nationally;
5. Regularly reviewing other Arlington Police Department policies and procedures, especially new or changing policies, and make recommendations to the Chief of Police, Town Manager, and the public;
6. Regularly reviewing the by-law creating this commission and make recommendations to Town Meeting;
7. Providing a yearly report to Town Meeting covering the work and findings of the commission as well as priorities for the upcoming year; and
8. Providing education to the public about policing and the Arlington Police Department, their options for filing complaints and commendations, the complaint process and the various data they are charged with analyzing.

## **Section 6. Effective Date**

Following Town Meeting approval of this bylaw, this Title shall take effect upon the approval by the Attorney General of the Commonwealth and compliance with bylaw advertising and notice requirements.